

State of Michigan
29th Judicial Circuit Court
Clinton & Gratiot Counties

Randy L. Tahvonen
Michelle M. Rick
Circuit Judges

Clinton County Courthouse
100 E. State Street - Suite 4500
St. Johns, Michigan 48879

January 25, 2013

Senator Roger Kahn
Michigan State Senate
P. O. Box 30036
Lansing, MI 48909

Senator Judy Emmons
Michigan State Senate
P.O. Box 30036
Lansing, MI 49809

Re: SB 43

Dear Senators Kahn and Emmons:

We are writing to express our unanimous support for SB 43, which would restore the Clinton County District Court position, effective January 1, 2015.

As you know, Clinton and Gratiot Counties comprise the 29th Judicial Circuit. Specifically, each County has its own Probate Judge and District Judge, and the counties share two Circuit Court positions. Nevertheless, we have traditionally worked together to share docket responsibilities when the need has arisen.

In 2011, the Judicial Resources Recommendation (JRR) included a proposal to reduce the number of judges in our Circuit from six to five. Specifically, the plan was to eliminate the Gratiot County Probate position. Although we believed that the loss was not justified, we joined with our respective Judicial Associations to support the JRR in an effort to share in the state-wide budget cuts. Based on the JRR, our benches put together a plan to adjust our dockets.

However, when the JRR recommendations were finally enacted, the Clinton County District Court position, not the Gratiot County Probate position, was eliminated, effective January 1, 2015. Consequently, the previous consolidation plan would no longer work.

More importantly, this cut significantly – and negatively – impacts both counties. The JRR recognized that the Clinton County District Court position, which handles more than 30,000 cases each year, was weighted as requiring **more than** one judge to handle its workload. As a result, the redistribution of cases would require a major shift of duties and increased travel between the courts in order to meet the procedural requirements and time deadlines associated with the cases heard by the District Court.

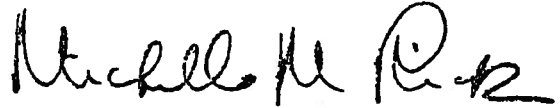
We believe that SB 43 offers a win-win solution. First, it does not disrupt the JRR recommendation to reduce our Circuit by one judge. Second, it eliminates one of the Circuit Court positions by attrition, which was another principle of the JRR. Third, by maintaining the District Court positions, it allows for a more sensible and manageable adjustment of the other docket responsibilities among the Probate Judges and the remaining Circuit Judge, thereby minimally impacting the citizens we serve. Finally, SCAO and our County Boards of Commissioners, also, support this adjustment over the current situation.

Therefore, we are asking each of you to support SB 43. Should you wish to discuss this further, please feel free to call on any of us.

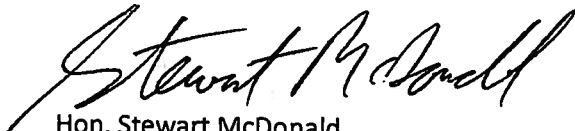
Sincerely,



Hon. Randy Tahvonen
Chief Judge, Gratiot and Clinton Counties



Hon. Michelle Rick
Circuit Judge, Gratiot and Clinton Counties



Hon. Stewart McDonald
Gratiot County District Judge



Hon. Kristin Bakker
Gratiot County Probate Judge



Hon. Richard Wells
Clinton County District Judge



Hon. Lisa Sullivan
Clinton County Probate Judge

Cc; Senator Rick Jones, Chair Senate Judiciary Committee

**Offices of Prosecuting Attorney
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January 28, 2013

Senator Roger Kahn
Michigan State Senate
P. O. Box 30036
Lansing, MI 48909

Senator Judy Emmons
Michigan State Senate
P. O. Box 30036
Lansing, MI 48909

RE: SB 43

Dear Senators Kahn and Emmons:

I am writing to state my strong support for SB43 which would allow Clinton County to maintain a District Court Judge after January 1, 2015.

When the Judicial Resource Recommendation was made, after exhaustive study and analysis, part of the state wide proposal was to eliminate the Gratiot County Probate position, reducing the 29th Judicial Circuit from a total of six judges to five.

The legislation which was ultimately passed eliminated the Clinton County District Court Judge instead. So the Judicial Resource Recommendation proposal, which would have been functional, was changed without any study or input, into something that would be completely unworkable. Clinton County with 75,000 people simply cannot function without any District Court Judge. Under the Judicial Resource Recommendation statistics, this position is weighted as more than one full time Judge.

Without a District Judge my office would be unable to process our criminal cases. All criminal cases, felony and misdemeanor begin in District Court. SB 43, while not as efficient as the original Judicial Resource Recommendation proposal, will at least restore our criminal justice system in the 29th Circuit to one that will continue to function.

As Prosecutor for Clinton County I cannot express strongly enough that SB43 is absolutely imperative for Clinton County to continue to have a working criminal justice system.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles D. Sherman', with a long horizontal flourish extending to the right.

Charles D. Sherman
Prosecuting Attorney

CDS/msw

Cc: Senator Rick Jones, Chair Senate Judiciary Committee